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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,621	02/20/2004	Shigeo Konuma	08830.0011	4117
22852 7590 08/31/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER ABDUL-ALI, OMAR R	
			ART UNIT 2178	PAPER NUMBER
			MAIL DATE 08/31/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/781,621

**Applicant(s)**

KONUMA ET AL.

**Examiner**

Omar Abdul-Ali

**Art Unit**

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

The following action is in response to the response filed June 18, 2007. Amended Claims 1-19 and new Claims 20-21 are pending and have been considered below.

1. Examiner's Note: The previous art rejections have been withdrawn as necessitated by Applicant's amendments.

#### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-21 appear to be claiming non-functional descriptive material. A button (OK button, Cancel button), per se, is non-functional descriptive material, thus it may also be considered to be merely an abstract idea or mere arrangement of data, and is rejected under 35 U.S.C. 101 as being a non-patentable abstract idea.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda et al. (US 6,785,487) in view of Funaki (US 6,707,471).

Claim 1: Maeda discloses an image forming device with function selecting keys and at least one shortcut comprising:

- a. display section displaying initial screen for performing function selection (column 4, lines 56-65);
- b. setting screen to receive an input of setting an image forming condition, the setting screen being displayed by performing the function selection a plurality of times from the initial screen (column 5, lines 21-36);

Maeda does not explicitly disclose the setting screen includes an OK button for enabling the setting of the image forming condition inputted on the setting screen.

Funaki discloses a similar apparatus and method for an image forming condition displaying method that further discloses an OK button for executing a process based on inputted data (column 7, lines 51-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an OK button for enabling the setting of the image forming condition inputted in Maeda, because including an OK button was recognized as part of the ordinary capabilities of one skilled in the art.

c. the inputted setting of the image forming condition is enabled and a shortcut button for redisplaying the setting screen on which the image forming condition was set is displayed when there is an input to operate the OK button (column 1, lines 56-64).

Claim 2: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 1 above, and Maeda further discloses:

a. image formation is performed by using image data, and the image forming condition is an image processing condition corresponding to the image data (column 9, lines 3-20).

Claim 3: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 1 above, and Maeda further discloses:

a. the image forming condition is a post-processing condition (column 5, lines 25-36).

Claim 4: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 1 above, but neither reference explicitly discloses the plurality of short cut buttons are displayed in a list. However, Maeda does disclose multiple short cut buttons displayed in a vertical orientation, and it would have been obvious to one having ordinary skill in the art at the time the invention was made to display multiple shortcuts in a list. One would have been motivated to display the

shortcuts in a list in order to enable the user to set more shortcuts and display them in a compact fashion.

Claim 5: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 4 above, but does not explicitly disclose the plurality of short cut buttons are displayed in a list according to a frequency of use. However, both Maeda and the applicant disclose a method intended for reducing the frequency of selecting functions by using short cut buttons, and it would have been obvious to one having ordinary skill in the art at the time the invention was made that one could create shortcuts by frequent selection of functions. One would have been motivated to create a shortcut according to frequency of use in order to automatically designate shortcuts that the user may need to access in a quick manner.

Claim 6: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 1 above, but neither reference explicitly discloses the plurality of short cut buttons are displayed in a condition that the plurality of short cut buttons are capable of being scrolled or turned over. However, Maeda discloses a touch screen (column 4, lines 45-55), which is a variation of scrolling through multiple shortcuts, and it would have been obvious to one having ordinary skill in the art at the time the invention was made to enable the user to scroll over multiple shortcuts. One would have been motivated to enable the short cut buttons to be scrolled or turned over in order to allow the user to select multiple short cut buttons.

Claim 7: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 1 above, and Maeda further discloses:

a. information relating to a set content of the short cut button is displayed on the initial screen (column 6, lines 31-38/Figure 8).

Claim 8: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 7 above, and Maeda further discloses:

a. the set content of the short cut button is the selected function (column 6, lines 31-62).

Claim 9: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 7 above, and Maeda further discloses:

a. the set content of the short cut button is the image forming condition of which the setting input is performed (column 6, lines 31-62).

Claim 10: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 1 above, and Maeda further discloses:

a. a memory for storing screen information of a screen at a time of performing the setting input of the image forming condition (column 9, lines 29-42).

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Claim 11: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 1 above, but neither reference explicitly discloses a read button for reading out the screen information stored in the memory is displayed on the initial screen. However, the conditions set on the screen are displayed to the user on the initial screen (Figure 1), and it would have been obvious to one having ordinary skill in the art at the time the invention was made that read button could be included in the initial screen. One would have been motivated to include a read button on the initial screen in order to enable the user to easily distinguish between settings that are not set for the current operation.

Claim 12: Maeda discloses an image forming device with function selecting keys and at least one shortcut comprising:

- a. displaying an initial screen for performing function selection (column 4, lines 56-65);
- b. displaying a setting screen for performing a setting input of an image forming condition by performing the function selection a plurality of times from the initial screen (column 5, lines 25-36);
- c. Maeda does not explicitly disclose receiving an input to operate an OK button so as to enable the setting of the image forming condition inputted on the setting screen. Funaki discloses a similar apparatus and method for an image forming condition displaying method that further discloses an OK button for executing a process based on inputted data (column 7, lines 51-60). Therefore, it would have been obvious



to one having ordinary skill in the art at the time the invention was made to include an OK button for enabling the setting of the image forming condition inputted in Maeda, because including an OK button was recognized as part of the ordinary capabilities of one skilled in the art.

d. enabling the inputted setting of the image forming condition and displaying a shortcut button for redisplaying the setting screen on which the image forming condition was set is displayed when there is an input to operate the OK button

Claim 13: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 12 above, but neither reference explicitly discloses the short cut buttons are displayed in a list. However, Maeda does disclose multiple short cut buttons displayed in a vertical orientation (Figure 2), and it would have been obvious to one having ordinary skill in the art at the time the invention was made to display multiple shortcuts in a list. One would have been motivated to display the shortcuts in a list in order to enable the user to set more shortcuts and display them in a compact fashion.

Claim 14: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 1 above, but neither reference explicitly discloses an area where the short cut button is displayed, is displayed in a condition that the area is capable of being scrolled or turned over. However, Maeda discloses a touch screen (column 4, 45-55), which is a variation of scrolling through multiple

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shortcuts, and it would have been obvious to one having ordinary skill in the art at the time the invention was made to enable the user to scroll over multiple shortcuts. One would have been motivated to enable the short cut buttons to be scrolled or turned over in order to allow the user to select multiple short cut buttons.

Claim 15: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 12 above, and Maeda further discloses:

a. information relating to a set content of the short cut button is displayed on the initial screen (column 6, lines 31-38).

Claim 16: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 15 above, and Maeda further discloses:

a. the set content of the short cut button is the selected function (column 6, lines 31-62).

Claim 17: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 15 above, and Maeda further discloses:

a. the set content of the short cut button is the image forming condition of which the setting input is performed (column 6, lines 31-62).

Claim 18: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 12 above, and Maeda further discloses:

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a. screen information of the setting screen at a time that the setting input of the image forming condition is performed, is stored in a memory (column 9, lines 29-42).

Claim 19: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claim 18 above, and Maeda further discloses:

a. on the initial screen, display is performed according to the screen information stored in the memory (column 9, lines 29-42).

Claims 20 and 21: Maeda and Funaki disclose an image forming device with function selecting keys and at least one shortcut as in Claims 1 and 12 above, and Funaki further discloses a cancel button for specifying the cancellation of processing of entered data (column 7, lines 51-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a cancel button in the setting screen for canceling the setting of the image forming condition inputted on the setting screen resulting in a shortcut button not being displayed on the initial screen when there is an input to operate the cancel button in Maeda. Using the known technique of including a cancel button to cancel the setting of a condition and creation of a shortcut button in the interface of Maeda would have been obvious to one of ordinary skill.

***Response to Arguments***

6. Applicant's arguments with respect to Claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

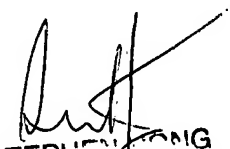
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Abdul-Ali whose telephone number is 571-270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA  
8/24/2007

  
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